# Summary of Driver's License Legislation, 2008 Session (As of July 7, 2008)

Signed into Law

Bill Number: HB 08-1050 Short Title: Motorcycle Driver's License Endorsement

Sponsors: Representative Marostica Status: Signed Into Law

Senator Tochtrop

The act requires the Department of Revenue to establish a motorcycle endorsement program for driver's licenses, minor driver's licenses, and instruction permits. Applicants for a motorcycle endorsement must demonstrate their ability to operate the type of motorcycle for which they are seeking an endorsement. A general motorcycle endorsement authorizes the holder to operate any motorcycle on public roads. A limited three-wheel motorcycle endorsement authorizes the holder to operate a three-wheel motorcycle only. Any person operating a motorcycle without the proper endorsement commits a class 2 misdemeanor traffic offense.

## State Appropriations:

The creation of the new motorcycle endorsements requires \$15,000 for computer programming and an \$876 one-time computer programming cost for the Department of Revenue (DOR) for FY 2008-09. The costs are covered through General Fund line item funding for programming costs in the DOR. The bill does not require a new General Fund appropriation.

Bill Number: HB 08-1056 Short Title: Emergency Contact Information Driver's License

Sponsors: Representative White Status: Signed Into Law

Senator Morse

The act directs the Department of Revenue (DOR) to create and make available on its official website by January 1, 2009, an electronic form allowing a person with a driver's license, minor driver's license, instruction permit, temporary driver's license, or identification card to provide the contact information of up to two persons to be contacted in the case of an emergency. The act also requires the DOR to include on the application for a driver's license, minor license, instruction permit, driver's license renewal, duplicate license, or identification card a place for the applicant to put the contact information of up to two persons to be contacted in the case of an emergency. The act specifies that the emergency contact information may only be disclosed to authorized law enforcement or public safety personnel authorized to access the driver's license database, and only in the event the person is injured or killed as a result of an accident, criminal act, or other emergency situation.

## State Appropriations:

In order to implement the emergency contact database, the Department of Revenue (DOR) requires a one-time computer programing cost of \$14,362 in FY 2008-09, to be covered through General Fund line item funding for programming costs in the DOR. The bill does not require a new General Fund appropriation.

# Summary of Driver's License Legislation, 2008 Session (As of July 7, 2008) (Cont.)

## Signed into Law (Cont.)

Bill Number: HB 08-1121 Short Title: Commercial Driver's License

Sponsors: Representative Marostica Status: Signed Into Law

Senator Takis

The act amends state commercial driver's license (CDL) law to comply with the federal Motor Carrier Safety Improvement Act of 1999. Specifically, the bill:

- prohibits the sealing or expunging of CDL conviction records;
- expands the definition of "convicted" and "conviction" to include: an adjudication
  of guilt that a person has violated or failed to comply with the law; a forfeiture of
  bail or collateral deposited to secure the person's appear in court; a payment of
  a fine or court cost of violation of a condition of release without bail, regardless of
  whether or not the penalty is rebated, suspended, or probated; or a deferred
  sentence;
- prohibits sentencing to deferred judgments and diversion programs that prevent a driver's conviction from appearing on the driver's record; and
- limits a commercial instruction permit to one year.

## State Appropriations:

The bill requires the state to comply with federal requirements to administer commercial driver's licenses. Although the bill requires courts to notify the Department of Revenue of a commercial driver's license conviction within five days instead of the current 10 day period, the change is not anticipated to create additional work for the courts and therefore the bill is assessed as having no fiscal impact.

Bill Number: SB 08-050 Short Title: Elder Driver's License Renewal

Sponsors: Senator Windels Status: Signed Into Law

Representative Gagliardi

The act raises the age limit from 60 to 65 for persons renewing a driver's license electronically or by mail. Applicants under 66 years of age renewing by mail must attest that they have had an eye examination by an optometrist or ophthalmologist within three years before the renewal. Applicants 66 years of age and older may renew by mail if they provide a Department of Revenue form signed by an optometrist or ophthalmologist attesting that the applicant has had an eye examination within the last six months. Applicants renewing electronically may only do so every other driver's license renewal period and must attest that they have had an eye examination by an optometrist or ophthalmologist within three years before the renewal. Electronic renewal is only available to applicants under 66 years of age.

#### State Appropriations:

In order to implement the act, the Department of Revenue (DOR) requires a one-time computer programing cost of \$2,102 to modify the renewal-by-mail website and create an eye examination application for drivers 66 years of age and older. This cost will be covered by General Fund line item funding for programming costs in the DOR. The bill does not require a new General Fund appropriation.

# Summary of Driver's License Legislation, 2008 Session (As of July 7, 2008) (Cont.)

#### Signed into Law (Cont.)

Bill Number: SB 08-059 Short Title: Commercial Driver's License Test Fee

Sponsors: Senator Johnson Status: Signed Into Law

Representative Kefalas

The act amends state law by replacing the \$100 commercial driver's license test fee with a fee that is set by the Department of Revenue (DOR). The bill requires the DOR to promulgate rules setting a limit on the amount that commercial driver license testing units may charge for administering the driving test. The bill also requires the DOR to set rules that provide for a lower fee limit for driving tests provided to an employee or volunteer of a nonprofit organization that provides specialized transportation services for the elderly and for persons with disabilities, to any individual employed by a school district, or to any individual employed by a board of cooperative services. The DOR must promulgate the rules by December 1, 2008 and every three years thereafter.

## State Appropriations:

The bill specifies that the change applies to private and not government testing facilities and is therefore assessed as having no fiscal impact.